

12-17-07

MS 16  
Docket No.: 4459-0159P  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Yuan-Jen CHAO

Application No.: 10/715,414

Confirmation No.: 5322

Filed: November 19, 2003

Art Unit: 2609

For: DIGITAL CONTROLLED MULTI-LIGHT  
DRIVING APPARATUS

Examiner: E. M. Sheets

**ATTENTION:      Refund Section  
                         Accounting Division  
                         OFFICE OF FINANCE**

**REQUEST FOR A REFUND**  
**(IMPROPER FEES PAID - SMALL ENTITY PREVIOUSLY ESTABLISHED)**

MS 16  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The following documentation and remarks are respectfully submitted in connection with the above-identified application.

**DOCUMENTATION**

Attached hereto is:

☒ a copy of written assertion of small entity status filed on November 19, 2003;  
and/or

Application No.: 10/715,414

Docket No.: 4459-0159P

☐ a copy of an executed Statement Claiming Small Entity Status (37 C.F.R. § 1.9(f) and 1.27) - Small Business Concern filed on November 19, 2003.

**REMARKS**

Pursuant to 37 C.F.R. § 1.28(a), applicants hereby request a refund of 50% of the Extension Fee paid on November 16, 2007. Small entity status was established prior to payment of this fee by the filing of a written assertion/statement on November 19, 2003.

Under 37 C.F.R. § 1.26(b), any request for a refund which is not based upon subsequent entitlement to small entity status must be filed with a two-year nonextendable time limit.

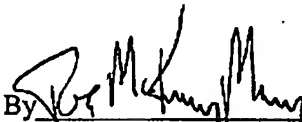
The Extension Fee in the amount of \$1,050.00 was paid on November 16, 2007. It is respectfully requested that the excess fee of \$525.00 be credited to Deposit Account No. 02-2448.

Favorable action on the present Request is respectfully requested.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: December 17, 2007

Respectfully submitted,

By 

Joe McKinney Muncy  
Registration No.: 32,334  
BIRCH, STEWART, KOLASCH & BIRCH, LLP  
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(703) 205-8000  
Attorney for Applicant

Attachment(s)

**BIRCH, STEWART, KOLASCH & BIRCH, LLP**

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COSTA MESA, CALIFORNIA  
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COPY

Date: November 19, 2003

Docket No.: 4459-0159P

**MS PATENT APPLICATION**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing is the patent application of

Inventor(s): CHAO, Yuan-Jen

For: DIGITAL CONTROLLED MULTI-LIGHT DRIVING APPARATUS

Enclosed are:

- ☒ A specification consisting of Thirteen (13) pages
- ☒ Four (4) sheet(s) formal drawings
- ☒ An assignment of the invention
- ☒ Applicant claims small entity status under 37 C.F.R. § 1.27
- ☐ Applicant does not claim priority
- ☒ Applicant claims the right of priority under 35 U.S.C. § 119 based on Application No(s). 091218715 filed in Taiwan on November 20, 2002.
  - ☒ Certified copy(ies) is(are) attached hereto.
  - ☐ Certified copy(ies) will follow.
- ☒ Executed Declaration (☒ Original ☐ Photocopy)

- ☐ Application Data Sheet in accordance with 37 C.F.R. § 1.76
- ☒ Preliminary Amendment
- ☐ Information Disclosure Statement, PTO-1449 and reference(s)
- ☐ Other: .
- ☐ Applicant requests early publication - \$300.00 publication fee
- ☐ Non-publication Request and Certification under 35 U.S.C. § 122(b)(2)(B)(i)

The filing fee has been calculated as shown below:

			LARGE ENTITY	SMALL ENTITY
BASIC FEE			\$770.00	\$385.00
	NUMBER FILED	NUMBER EXTRA	RATE FEE	RATE FEE
TOTAL CY.ATMR	19- 20 =	0	X 18 = \$0.00	x 9 = \$0.00
INDEPENDENT CLAIMS	1- 3 =	0	x 86 = \$0.00	x 43 = \$0.00
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED			+ \$290.00	+ \$145.00
TOTAL			\$0.00	\$385.00

- ☒ A check in the amount of \$425.00 to cover the filing fee and recording fee (if applicable) is enclosed.
- ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this transmittal form is enclosed.
- ☒ Please send correspondence to:

BIRCH, STEWART, KOLASCH & BIRCH, LLP or Customer No. 02292  
 P.O. Box 747  
 Falls Church, VA 22040-0747  
 (703) 205-8000

Docket No. 4459-0159P

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By \_\_\_\_\_  
Joe McKinney Muncy, #32,334

KM/cqc  
4459-0159P

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

Attachment(s)

(Rev. 10/27/03)

**RECEIVED**  
**CENTRAL FAX CENTER**

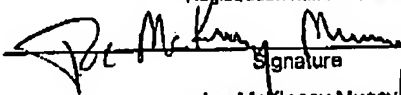
**NOV 16 2007**

PTO/SB/22 (11-07)

Approved for use through 11/30/2007. OMB 0551-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)</b> <b>FY 2008</b> <small>(Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818))</small>		Docket Number (Optional) <b>4459-0159P</b>	
Application Number <b>10/715,414-Conf. #5322</b>		Filed <b>November 19, 2003</b>	
For <b>DIGITAL CONTROLLED MULTI-LIGHT DRIVING APPARATUS</b>			
Art Unit <b>2609</b>		Examiner <b>E. M. Sheets</b>	
This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.			
The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):			
<input type="checkbox"/>	One month (37 CFR 1.17(a)(1))	Fee \$120	Small Entity Fee \$60
<input type="checkbox"/>	Two months (37 CFR 1.17(a)(2))	\$460	\$230
<input checked="" type="checkbox"/>	Three months (37 CFR 1.17(a)(3))	\$1050	\$525
<input type="checkbox"/>	Four months (37 CFR 1.17(a)(4))	\$1640	\$820
<input type="checkbox"/>	Five months (37 CFR 1.17(a)(5))	\$2230	\$1115
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.			
<input type="checkbox"/> A check in the amount of the fee is enclosed.			
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.			
<input checked="" type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account.			
<input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number <u>02-2448</u> . I have enclosed a duplicate copy of this sheet.			
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.			
I am the <input type="checkbox"/> applicant/inventor.			
<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).			
<input checked="" type="checkbox"/> attorney or agent of record. Registration Number <u>32,334</u>			
<input type="checkbox"/> attorney or agent under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____			
 Signature		<u>November 16, 2007</u> Date	
<u>Joe McKinney Muncy</u> Typed or printed name		<u>(703) 205-8026</u> Telephone Number	
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.			
<input type="checkbox"/> Total of <u>1</u> forms are submitted.			

Adjustment date: 01/02/2008 HDESTA1  
11/19/2007 NNGUYEN1 00000018 022448 10715414  
01 FC:1253 1050.00 CR

11/19/2007 NNGUYEN1 00000018 022448 10715414  
01 FC:1253 1050.00 DA

01/02/2008 HDESTA1 00000033 022448 10715414  
01 FC:2253 525.00 DA

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Smith Stewart Kniesch & Birch, LLP

KM/lab